



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

Board of Supervisors
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Fifth District

November 3, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: JOB ORDER CONTRACTS FOR
MAINTENANCE, REPAIR, AND REFURBISHMENT OF COUNTY
INFRASTRUCTURE AND FACILITIES
ADOPT, ADVERTISE, AND AWARD
SPECS. VARIOUS
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

This action is to adopt the Job Order Contract (JOC) Unit Price Book and Specifications, advertise for bids to be received, and award to the Lowest Responsive and Responsible Bidders for 20 separate JOCs and to implement a local worker hiring standard as part of the JOC Program.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the concept and implementation of the Local Worker Job Order Contract Program as part of the County's Job Order Contract procurement process with an aspirational goal of 40 percent of construction labor hours by qualified local workers residing within a 15-mile radius of the Job Order Contract jobsite.
2. Adopt the Job Order Contract Unit Price Book and Specifications, and instruct the Executive Officer to advertise for bids to be received for 20 separate Job Order Contracts on November 24, 2009, in accordance with the Instruction Sheet for Publishing Legal Advertisements.

"To Enrich Lives Through Effective And Caring Service"

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Intra-County Correspondence Sent Electronically Only**

3. Authorize the Director of Public Works to award 20 separate Job Order Contracts in not-to-exceed amounts of \$4 million each to the Lowest Responsive and Responsible Bidders for work related to maintenance, repair, and refurbishment of County infrastructure and facilities.
4. Authorize the Director of Public Works to prepare and execute the Job Order Contracts in the form previously approved by County Counsel and to establish the effective date following receipt of approved Faithful Performance and Labor and Materials Bonds filed by the contractors.
5. Authorize the Director of Public Works to issue work orders to the selected contractors in an aggregate per Job Order Contract amount not-to-exceed the maximum amount of each Job Order Contract upon receipt of funding authorization from the Chief Executive Office or the appropriate funding authorization.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will authorize the integration of a Local Worker Hiring Program with the County's JOC Program and augment the Department of Public Works' (Public Works) ability to effectively and efficiently maintain, repair, and refurbish County infrastructure and facilities.

Local Worker Hiring JOC Program

In order to increase participation of qualified local residents in areas where projects are being implemented by the County via JOC, it is recommended that a local worker hiring program be incorporated into the County's JOC procurement.

The program's objective is not intended to discriminate against or give preference to any particular group based on race, color, gender, sexual orientation, or disability, but to give work opportunities to qualified local residents where projects are being developed. Except where State or Federal laws or regulations mandate to the contrary, these provisions will apply to all eligible JOCs.

An aspirational goal of 40 percent of construction labor hours worked by qualified local workers on eligible JOC capital projects has been established for the Local Worker JOC Program. Eligible JOC capital projects will include the renovation and refurbishment of any County building, facility, or system performed by JOC.

A worker will be considered to be local if he/she resides within a 15-mile radius from the jobsite with exception to the Antelope and Santa Clarita Valleys, which will be considered individual local areas.

Monitoring of the Local Worker JOC Program will be provided by Public Works contract administration staff based on review of the JOC work site and individual labor hours in the local area to determine a percentage of hours worked by each of the specific work orders. The contractor will provide certified payroll records for labor forces. These records will be monitored by work order, hours worked, and zip code of the workers to establish the percentage of total work performed by local forces. Public Works will report the results of the Local Worker JOC Program to your Board each year, as part of its annual resolicitation for JOC contractors.

Requested Job Order Contract Authority

The JOC is a flexible, cost-effective unit price contracting method to accomplish maintenance, repair, and refurbishment of County infrastructure and facilities without extensive plans and specifications. The State Public Contract Code allows JOCs to be valid for one year. Public Works will implement the Local Worker JOC Program based on project location in accordance with the intent of the program. The proposed JOCs will be used for repair, remodel, refurbishment, or other repetitive work, but not for new construction.

The requested amount of JOC authority is based on the anticipated need of repair, refurbishment, and maintenance projects, including those of Public Works' Road Maintenance and Flood Maintenance Divisions as well as repair, refurbishment, and maintenance projects for other County General and Special Fund departments. In the past three years, Public Works awarded a total of 58 JOCs as summarized in the following:

Year	No. of JOCs	Total JOC authority	Total JOC authority spent	Percentage (%) authority spent
2006	20	\$75,200,000	\$54,732,675	72.8%
2007	26	\$100,800,000	\$69,678,362	69.1%
2008	12	\$46,000,000	\$37,403,773	81.3%

Public Works anticipates issuing nearly \$71.4 million in work orders during the year that the proposed contracts are valid, leaving the remaining \$8.6 million in authority as a reserve for unanticipated repair and maintenance projects.

This relatively simple and straightforward process reduces administrative requirements and lowers direct construction costs while meeting Federal, State, and County

procurement requirements. The contracts will be publicly advertised for bids and awarded to the Lowest Responsive and Responsible Bidders in accordance with the State Public Contracting Code (see the Facts and Provisions/Legal Requirements and Contracting Process Sections for details and definitions).

Because Public Works has no active JOCs currently in place and due to the need to expeditiously initiate work, we recommend your Board authorize the Director to award the 20 JOCs, each for a \$4 million not-to-exceed amount, following bid review and determination of the Lowest Responsive and Responsible Bidders.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) by increasing our ability to manage fluctuations in workload in a responsive manner and provide responsive, efficient, and high-quality public service.

FISCAL IMPACT/FINANCING

There is no anticipated fiscal impact to the County as a result of the recommended actions. Maintenance, repair, and refurbishment work will be financed through the appropriate maintenance, capital, refurbishment, or infrastructure project budgets. For capital projects and refurbishments, no work will be assigned to these JOCs without the prior review and funding verification from the Chief Executive Office, and the approval of the project scope and budget by your Board. For Public Works' infrastructure and maintenance projects, no work will be assigned to these JOCs without the appropriate funding authorization.

Public Works will work with the CEO to quantify any administrative costs attributable to the Local Worker JOC Program and present any necessary budgetary recommendations to your Board for approval.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contracts will be in the form previously reviewed and approved by County Counsel. The recommended contracts, JOCs 0901 through 0920, will be solicited on an open-competitive basis and in accordance with applicable Federal, State, and County requirements. The contractors will be in compliance with the Chief Executive Officer's and your Board's requirements.

The contracts will contain terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN/GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County

Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

Data regarding the proposers' minority participation will be on file with Public Works. The contractors will be selected upon final analysis and consideration without regard to race, creed, gender, or color.

The State Public Contract Code requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contracts are awarded to the lowest responsible contractors with a satisfactory history of performance, bidders will be required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractors' State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractors will be considered before making a recommendation to award.

The General Conditions, Specifications, and Unit Price Books include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This action is not subject to the California Environmental Quality Act (CEQA) because it can be seen with certainty that it will not result in any environmental effect. The implementation of each work order under these JOCs shall be subject to prior determination and documentation by Public Works that the work is categorically exempt from CEQA. In the event the work is not exempt, your Board will be requested to approve the appropriate environmental finding and documentation prior to implementation.

Honorable Board of Supervisors
November 3, 2009
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CONTRACTING PROCESS

As requested by your Board on February 3, 1998, the invitation for bids will be listed on the Doing Business with Us website.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contracts as these contracts are for non-Proposition A services.

Participation by Community Business Enterprises (CBE) in the project is encouraged through Public Works' Capital Projects CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBEs.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The use of these contracts will expedite the completion of maintenance, repair, and refurbishment of County infrastructure and facilities work managed by Public Works. Minor impacts to tenant departments may occur while maintenance, repair, and refurbishment work on County infrastructure and facilities is underway.

CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects Division; and the Department of Public Works, Architectural Engineering Division.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:GF:SK
DJT:RB:zu

Attachment

c: County Counsel
Department of Public Social Services (GAIN/GROW Program)
Department of Public Works

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS: JOB ORDER CONTRACTS FOR
MAINTENANCE, REPAIR, AND REFURBISHMENT OF COUNTY
INFRASTRUCTURE AND FACILITIES
ADOPT, ADVERTISE, AND AWARD
SPECS. VARIOUS
(ALL DISTRICTS) (3 VOTES)**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper, or ten times in a daily newspaper. However, the first publication must appear at least 15 days prior to the bid opening date. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

BID DEADLINES

<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC. FEE</u>	<u>DATE</u>	<u>TIME</u>
All	JOC Specs.	JOC 0901	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0902	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0903	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0904	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0905	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0906	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0907	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0908	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0909	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0910	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0911	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0912	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0913	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0914	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0915	\$15 or all for \$240	11/24/09	10:45 a.m.

<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC. FEE</u>	<u>DATE</u>	<u>TIME</u>
All	JOC Specs.	JOC 0916	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0917	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0918	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0919	\$15 or all for \$240	11/24/09	10:45 a.m.
All	JOC Specs.	JOC 0920	\$15 or all for \$240	11/24/09	10:45 a.m.

Bids shall conform to Bidding Requirements, General Conditions, Specifications, and Unit Price Books open for inspection at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine, Alhambra, California 91803. Copies of the above documents to be bid upon may be obtained at such office for a fee as indicated. For information regarding receipt of bid documents or project-related information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office located at the above address no later than the designated time and date indicated. Bids will be publicly opened, examined, and declared by Public Works approximately 15 minutes following the deadlines for submission of bids stated above (bids that are due no later than 10:45 a.m. will be opened at approximately 11 a.m.) on the designated dates in Architectural Engineering Division's Conference Room, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803.

Bidders must comply with the provisions of the Bidding Requirements and General Conditions concerning bid guarantee, contract bonds, and insurance requirements. These projects require the prime contractor to possess an active B license classification at the time of award. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

MANDATORY PREBID CONFERENCE

Public Works will hold a single mandatory prebid conference for all of the listed Job Order Contracts (JOC) on November 17, 2009, at 1 p.m. in Conference Room B, 900 South Fremont Avenue, Alhambra, California 91803, to provide information on the JOC, bidding process, and answer any questions that potential bidders may have. A bid submitted by a company that did not have a representative of the company sign in as being present at the mandatory prebid conference may be rejected as nonresponsive, and it is strongly recommended that the representative who attends the mandatory prebid conference for the company be a principal of the company or a person authorized to make decisions for the company.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, relating to contracting with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72 hours notice, the Department can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations only, or for more ADA information, please contact our departmental ADA coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7:00 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones solamente, o para mas información del ADA, pongase en contacto con nuestro coordinador del ADA del departamento al (626) 458-4081 o TDD (626) 282-7829, de Lunes a Jueves de las 7:00 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, dated November 3, 2009.

SACHI A. HAMAI, EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF LOS ANGELES